

ANDOVER CITY COUNCIL MEETING

Andover City Hall
1609 E. Central Avenue
December 8, 2015 – 7:00 p.m.

(The times noted on this document reflect the time on the video, not necessarily the number of minutes past 7:00 p.m.)

0:08

1. Mayor Ben Lawrence called the meeting to order.

2. Roll Call

City Council Members present were Troy Tabor, Sheri Geisler (arrived at 7:05), Clark Nelson, Caroline Hale, Kris Estes, and Quentin Coon.

Staff: Police Chief Michael Keller, Chief Financial Officer Donna Davis, Fire Chief Chad Russell, City Attorney JT Klaus, Public Works & Community Development Director Les Mangus, City Clerk Susan Renner, and City Administrator Mark Detter.

A/V: Cindy Barrett & Craig Brown

3. Invocation was given by Pastor Daniel Ivey of the Andover Police Department Chaplains.

0:09

4. Pledge of Allegiance was led by Mayor Lawrence.

0:10

5. Public Forum – no one addressed the council.

6. Acceptance of Agenda

A motion was made by Council Member Nelson, seconded by Council Member Tabor to accept the agenda with the addition of an Analysis and a Bid Tab for agenda item 10) Temporary Improvements Notes and a Debt Service/Pricing Summary for agenda item 15) Public Building Commission resolution for issuance of bonds. Motion carried 6/0.

0:11

7. Presentations

- a. Mayor Lawrence swore in Police Officer Roberto Aguilar. Officer Aguilar joins us from South Carolina.
- b. Seth Carey, Recreation Director, provided an update on the activities for Hometown Christmas on December 10, 2015.

0:15

8. Consent Agenda

- a. Approval of Minutes
City Council Workshop: November 23, 2015
City Council Meeting: November 24, 2015
- b. Receive & file reports
Finance: November 2015
Fire: November 2015
Library: Finance October 2015; Directors October 2015
- c. Receive & file minutes
Subdivision: July 14, 2105
Planning Commission: October 20, 2015
Library: October 14, 2015
- d. Approval of appropriation ordinance B-22-15 in the amount of \$ 680,296.66.
- e. Approval of check request for CVB funds to the Andover Days Inn for vouchers from October 29 through November 29 in the amount of \$1,120
- f. Approval of the service awards through 2015 for the following employees:
Five years of service: Jason Arnold, Police Sergeant; Heath Kintzel, Police SRO; Jennifer McCausland, Assistant City Administrator.
Ten years of service: Lee Nygaard, Police Sergeant; Michelle Matson, Master Communications Officer II; Brian Landers Firefighter V; Chris Matson, Fire Lieutenant; Phillip Pantleo, Firefighter V; Frank Shaw, Firefighter V; Dayna DuFriend, Administrative Assistant; Jason DeHaven, Street Maintenance.
Fifteen years of service: Joe King, Fire Captain; Shawn Speer, Wastewater Assistant Superintendent.
- g. Approval of the IT Department purchase of two (2) computers from Data911, Alameda, California, in the amount of \$12,661 and installation hardware from Ka-Comm, Emporia, Kansas, in the amount of \$1,550 for the upgrade of equipment in two (2) police cars.
- h. Approval of Duling Construction change order 2 for the Highlands at Terradyne in the amount of \$348 for a fire hydrant extension.

- i. Approval of CMB license renewals
 - i. Andover Municipal Golf Course, 1208 W Hwy 54
 - ii. Circle K Store 1619, 105 W Central Avenue
 - iii. Circle K Store 1614, 2035 N Andover Road
 - iv. Timbuktu, 1251 N Andover Road (an on-premise and an off-premise license)

A motion was made by Council Member Nelson, seconded by Council Member Coon to approve the consent agenda as presented. Motion carried 6/0.

0:16

9. A resolution indicating the intent of the Governing Body of the City of Andover, Kansas, to issue certain Industrial Revenue Bonds in an aggregate principal amount of not to exceed two million three hundred thousand dollars (\$2,300,000) for the purpose of purchasing, acquiring, constructing and equipping a medical office facility and paying a portion of the costs of issuance thereof. (LMLZ)

Mark Detter explained Mayor Lawrence, Council Member Estes, Bond Counsel JT Klaus and he had met to discuss the possibility of issuing bonds and a graduated tax abatement for a new medical facility in Andover.

JT Klaus explained this resolution would confirm an intent by the Council to issue Industrial Revenue Bonds for a medical facility at the corner of 21st Street North and Keystone Parkway.

Dr. Lindsay Landers, medical practice located at 105 S. Andover Road, stated they have been in Andover for nine (9) years and have out grown their current location. They are continuing to grow and would like to add three (3) additional doctors to the current five (5), and add additional staff members.

A motion was made by Council Member Geisler, seconded by Council Member Hale to adopt the Resolution of Intent to issue industrial revenue bonds in an amount not to exceed \$2,300,000 for the purpose of purchasing, acquiring, constructing, and equipping a medical office facility and paying the cost of issuance thereof as presented. Motion carried 6/0. Resolution number 15-25 was assigned.

0:21

10. A resolution providing for the issuance of Temporary Improvement Notes of the City of Andover, Kansas, in the total principal amount of \$1,170,000, as heretofore authorized by ordinance no. 1599 of the City, in order to provide funds for the temporary financing of the costs of construction of certain internal improvements in the city authorized by said

ordinance; and providing the terms, details, form and conditions of said temporary improvement notes. (Cornerstone 6th Addition improvements)

Mark Detter explained this resolution will authorize the issuance of temporary notes for the Cornerstone 6th Addition improvements. Piper Jaffray received bids from three (3) banks; UMB, Kansas City, Missouri, with a true interest of 1.087%; Country Club Bank, Prairie Village, Kansas, with a true interest of 1.131%; and Commerce Bank, Kansas City, Missouri, with a true interest of 1.197%.

A motion was made by Council Member Tabor, seconded by Council Member Estes to select UMB Bank's proposal to underwrite \$1,170,000 in temporary notes and authorize the Mayor to sign the required disclosures for regulatory and compliance purposes as presented. Motion carried 6/0.

A motion was made by Council Member Tabor, seconded by Council Member Geisler to adopt the resolution for the issuance of \$1,170,000 in Temporary Improvements Notes as presented. Motion carried 6/0. Resolution number 15-26 was assigned.

0:25

11. A resolution of the City of Andover, Kansas, authorizing and providing for the public sale of the City's General Obligation Refunding and Equipment Bonds, Series A, 2016, in a total principal amount of not to exceed \$10,000,000; setting forth the details of said public sale; and providing for the giving of notice thereof.

Mark Detter explained this proposal calls for an advanced refunding on several bonds for a potential savings of \$630,000. Staff has been working with Piper Jaffray to set a parameter that the refunding must save at the least a three percent (3%) net present value to move forward. If the three percent (3%) net is met it would offset the cost of new equipment in the Fire Department's 2016 and 2017 CIP.

A motion was made by Council Member Nelson, seconded by Council Member Geisler to adopt a resolution authorizing the public sale of General Obligation Refunding and Equipment Bonds Series A, 2016, in a total principal amount not to exceed \$10,000,000 as presented. Motion carried 6/0. Resolution number 15-27 was assigned.

0:27

12. An ordinance establishing certain court costs within the City of Andover, Kansas; and amending Chapter X, Article 1, Section 10-106 of the Code of the City of Andover, Kansas. (an increase from \$70 to \$90 in court costs)

Police Chief Keller explained with an increase by the State beginning January 1, 2016 staff reviewed area court costs and requested this second increase in fees since 1987. If approved the projected income of court costs will still fall below the projected cost of court in 2016.

A motion was made by Council Member Geisler, seconded by Council Member Hale to adopt the ordinance establishing certain court costs within the City of Andover as presented. Motion carried 6/0. Ordinance number 1608 was assigned.

0:32

13. An ordinance of the City of Andover, Kansas, approving the issuance of \$3,400,000 aggregate principal amount of the Andover Public Building Commission, Revenue Bonds, Series A, 2015 for the purpose of providing funds to acquire, construct, furnish and equip a street maintenance shop and a Central Park restroom facility; prescribing the form and authorizing the execution of a seventh supplemental lease by and between the Public Building Commission and the City; authorizing the execution of a fourth supplemental site lease between the City and Commission; and authorizing the execution of certain agreements and supporting documents.

JT Klaus explained the ordinance would authorize the fourth supplement site lease and the seventh supplemental lease with the PBC and include the rental payments which match the bond payments.

There was a discussion about what the funds could be used for and it was City Counsel Klaus determination only street shop furnishings, not other equipment.

A motion was made by Council Member Nelson, seconded by Council Member Geisler to adopt an ordinance authorizing the issuance of \$3,400,000 in Public Building Commission Revenue Bonds for the purpose of providing funds to acquire, construction, furnish and equip a street maintenance shop and a Central Park restroom facility. Motion carried 6/0. Ordinance 1609 was assigned.

0:54

14. Construction contract for street maintenance shop

Mark Detter explained the Bauer & Son contract was the lowest bid and has been recommended by the project architect, GLMV. The contract is contingent upon performance guarantees and bonds.

A motion was made by Council Member Hale, seconded by Council Member Estes to approve the construction contract with Bauer & Sons, Wichita, for construction of the street maintenance shop at a cost not to exceed \$2,136,700. Motion carried 6/0.

0:55

15. A motion was made by Council Member Geisler, seconded by Council Member Tabor, to recess the City Council meeting and convene the Public Building Commission meeting. Motion carried 6/0.

Commission President Estes called the meeting to order.

- a. Public Building Commissioners present were Sheri Geisler, Clark Nelson, Ben Lawrence, Caroline Hale and Quentin Coon. Also in attendance was Public Building Commission Secretary Susan Renner.
- b. Minutes of November 24, 2015

A motion was made by Commissioner Geisler, seconded by Commissioner Coon to approve the minutes as presented. Motion carried 7/0.

- c. A resolution of the Andover Public Building Commission, authorizing and providing for the acquisition, construction, furnishing and equipping of a street maintenance shop and a Central Park restroom facility; authorizing and providing for the issuance of the Commission's Revenue Bonds, Series A, 2015, in the aggregate principal amount of \$3,400,000, for the purpose of paying a portion of the costs thereof; prescribing the form and details of the Series A, 2015 bonds; authorizing the lease of the improvements to the City of Andover, Kansas; making certain other covenants and agreements with respect to the foregoing; and authorizing the execution of certain agreements and supporting documents.

Tom Kaleko, Springsted, explained there were six (6) bids received; D.A. Davidson & Co.; Denver, with a true interest rate of 1.161; First Banker's Banc Securities Inc., St. Louis, Missouri, with a true interest rate of 1.717%; Robert W Baird & Co., Milwaukee, Wisconsin, with a true interest rate 1.274%; Suntrust Robinson Humphrey, Inc., Nashville, Tennessee, with a true interest 1.278%; Country Club Bank, Prairie Village, Kansas, with a true interest rate 1.307%; and Commerce Bank, Kansas City, Missouri, with true interest rate 1.316%.

A motion was made by Commissioner Hale, seconded by Commissioner Geisler to accept the bid from D.A. Davidson, Denver, for the purchase of \$3,320,000 in Public Building Commission Revenue Bonds at a net interest rate of 1.178%. Motion carried 7/0.

A motion was made by Commissioner Hale, seconded by Commissioner Geisler to adopt a resolution of the Andover Public Building Commission, authorizing and providing for the acquisition, construction, furnishing and equipping of a street maintenance shop and Central Park restroom facility in an aggregate principal amount of \$3,320,000. Motion carried 7/0. Resolution number PBC 15-03 was assigned.

d. Post-Issuance Compliance Policy

JT Klaus explained there is no requirement for a written post-issuance compliance policy, however it has been asked for on tax returns. The City of Andover has a policy and this will set one up for the Public Building Commission.

A motion was made by Commissioner Nelson, seconded by Commissioner Hale to adopt the Andover Public Building Commission's Tax Exempt Obligation Post-Issuance Compliance Policy as presented. Motion carried 7/0.

e. Construction contract for street maintenance shop

Mark Detter noted this contract was just accepted during the City Council meeting.

JT Klaus noted that from this point forward anything related to the PBC for the street shop, fire truck and restroom facility projects will no longer need to be duplicated in the City Council meeting as well.

A motion was made by Commissioner Tabor, seconded by Commissioner Coon to approve the construction contract with Bauer & Sons, Wichita, for construction of the street maintenance shop at a cost not to exceed \$2,136,700 and authorize the Commission President to sign the contract when proper performance guarantees have been provided by the general contractor. Motion carried 7/0.

A motion was made by Commissioner Hale, seconded by Commissioner Coon to adjourn the Public Building Commission meeting and reconvene the City Council meeting. Motion carried 7/0.

1:09

16. Executive Session – attorney-client privilege

A motion was made by Council Member Geisler, seconded by Council Member Estes to go into executive session to discuss matters under the attorney-client privilege for approximately forty five (45) minutes and include the Governing Body, City Administrator, Public Works Director and City Attorney. Motion carried 6/0.

A motion was made by Council Member Geisler, seconded by Council Member Estes to come out of executive session. Motion carried 6/0.

2:03

A motion was made by Council Member Coon, seconded by Council Member Geisler to approve offers to Fairfield Polo Association, Anna Hancock Revocable Trust, 4 Mile Creek LLC and Jacob and Melynda Sands, for easements, access and licensing for the sewer relief interceptor project. Motion carried 6/0.

2:04

17. 2016 recommended pay plan

A motion was made by Council Member Hale, seconded by Council Member Geisler to approve the 2016 pay plan as recommended by staff. Motion carried 5/1. Council Member Nelson opposed.

2:05

18. Member Items

Council Member Troy Tabor

- Provide a brief update and organizational information regarding the Rotary Club.

Council Member Sheri Geisler

- Commented on the Wichita City Council voting a raise for themselves.
- Commented on the Wichita City Council and Mayor raising the water rates.
- Encouraged everyone to attend Hometown Christmas
- Her car was stolen in Wichita.

Council Member Clark Nelson

- Commented on Les Mangus' father and wished him a quick recovery.
- Appreciates the city's police department and all they have done and believes their morale is still high in spite of what is going on nationally.

Council Member Kris Estes

- Agreed with Council Member Nelson regarding the police department.
- Stated Hometown Christmas is a great family experience.

Council Member Caroline Hale had none.

Council Member Quentin Coon

- Inquired if the city had received funds from Housing & Urban Development.
 - Les Mangus confirmed we had not.

Mark Detter stated the employee health insurance was to increase 4% and 12% had been budgeted and the cost for dental insurance is going down.

Mark Detter gave “props” to Donna Davis for enduring the software transition taking place in the finance department.

2:16

A motion was made by Council Member Coon, seconded by Council Member Geisler to adjourn. Motion carried 6/0.

Adjourn